

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

21st Century Telecom of Illinois, Inc.)

vs.)

Illinois Bell Telephone Company)
d/b/a/ Ameritech Illinois)

Complaint against Illinois Bell Telephone)
Company d/b/a/ Ameritech Illinois Under)
Sections 13-514 and 13-515 of the Public)
Utilities Act, and Request for Emergency)
Relief Pursuant to Section 13-515(a))

Docket No. 00-0219

ILLINOIS
COMMERCE COMMISSION
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CHIEF CLERK'S OFFICE

OPPOSITION TO PETITION FOR LEAVE TO INTERVENE

Illinois Bell Telephone Company ("Ameritech Illinois") hereby submits its Opposition to Petition for Leave to Intervene filed by the Attorney General of the State of Illinois ("AG"). As explained herein, the AG has not met and cannot meet the very restrictive intervention standard for cases under Sections 13-514 and 13-515. In support of this Opposition, Ameritech Illinois states the following:

1. This proceeding was brought by 21st Century Telecom of Illinois Inc. ("21st Century") against Ameritech Illinois pursuant to Sections 13-514 and 13-515 of the Public Utilities Act ("PUA").
2. The AG attempts to intervene in this proceeding pursuant to 83 Ill. Admin. Code § 200.200, which is inapplicable to this proceeding. The applicable rule is Section 766.20(a) of the Administrative Code, which states, "Intervention in any proceeding brought pursuant to

Section 13-515 of the Act will be allowed only upon a showing that the entity filing a petition to intervene is in the **same position** as either the complainant or the respondent in the proceeding in which it is attempting to intervene.” 83 Ill. Admin. Code § 766.20(a) (emphasis added). As such, in order for the Commission to grant intervention to the AG, it must find that the AG is in the “same position” as 21st Century or Ameritech Illinois. This standard is undeniably strict, and deliberately so. The accelerated time frames and carrier-specific nature of complaints under Sections 13-514 and 13-515 simply cannot accommodate the kind of open intervention allowed in other types of cases.

3. The AG is not in the same position as 21st Century. Unlike 21st Century, the AG is not a CLEC and does not purchase unbundled loops, interconnection, or any other product or service from Ameritech Illinois at wholesale. Nor does the AG serve telecommunications customers in buildings which subscribe to Ameritech Illinois’ AXT service. Moreover, the AXT issue involved in this case is specific to 21st Century as it deals with problems 21st Century allegedly has encountered in buildings which subscribe to Ameritech Illinois AXT service. The trunk and loop provisioning issues in this case also are specific to 21st Century and deal with specific orders allegedly missed by Ameritech Illinois. The AG certainly does not have anything even resembling the same interest in these issues as 21st Century, nor does it have any particularized knowledge that would shed any light on these issues.

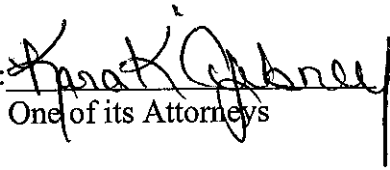
4. Indeed, the only interest the AG asserts in this proceeding is “ensuring that the transition of the State’s telecommunications industry to a competitive environment is accomplished, such that this competitive environment benefits all consumers.” This is

insufficient to grant intervention in a fast-track, carrier-specific complaint case dealing with specific interconnection and UNE matters during a specific time frame.

WHEREFORE, Ameritech Illinois requests that the Commission deny the AG's petition, as it completely fails to meet the restrictive intervention standard for these types of cases.

Respectfully submitted,


Illinois Bell Telephone Company

By: 
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CERTIFICATE OF SERVICE

I, Kara K. Gibney, hereby certify that I caused copies of Ameritech Illinois' Opposition to Petition for Leave to Intervene to be served on the parties on the attached service list by e-mail, facsimile, or hand-delivery, with all changes pre-paid, this 14th day of April, 2000.


Kara K. Gibney

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